

FCC MAIL SECTION

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554


FCC 95M-82

In re Application of)	CC DOCKET NO. 94-136	51064
ELLIS THOMPSON CORPORATION)	File No. 14261-CL-P-134-A-86	
For facilities in the Domestic)		
Public Cellular Radio Telecom-)		
munications Service on Frequency)		
Block A in Market No. 134,)		
Atlantic City, New Jersey)		

ORDER
Issued: March 21, 1995; Released: March 24, 1995

IT IS ORDERED, That the "Joint Request For Protective Order" filed March 16, 1995 by the parties IS GRANTED and the attached "Stipulated Protective Order Governing Pretrial Document Production" IS APPROVED.

FEDERAL COMMUNICATIONS COMMISSION


Joseph Chachkin
Administrative Law Judge

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Application of)	
)	CC Docket No. 94-136
ELLIS THOMPSON CORPORATION)	
)	File No. 14261-CL-P-134-A-86
For facilities in the Domestic)	
Public Cellular Telecommunications)	
Radio Service on Frequency Block)	
A, in Market 134, Atlantic City,)	
New Jersey)	

TO: Honorable Joseph Chachkin
Administrative Law Judge

**STIPULATED PROTECTIVE ORDER GOVERNING
PRETRIAL DOCUMENT PRODUCTION**

Stipulation

It is hereby stipulated and agreed by and between the undersigned parties to this action, through their respective counsel of record, that the following protective order governing pretrial disclosure of information obtained through document production in this matter, upon approval of Judge Chachkin, may be entered in this action. Nothing in this order shall prohibit the Wireless Communications Bureau or the Federal Communications Commission ("FCC") from using any information produced in this proceeding in connection with other matters within their jurisdiction.

1. Any information supplied in written or documentary form shall be held confidential by each receiving party and shall be used solely and exclusively for purposes directly associated with this FCC

Proceeding and shall not be used directly or indirectly for any other purpose by any receiving party.

2. Except with the prior written approval of the disclosing party, or upon Order issued by this Tribunal after due notice, the documents may not be disclosed by any receiving party to any person other than:

(a) Attorneys of record and attorneys designated as of counsel (excluding inside corporate counsel) in this FCC Proceeding and members, associates and employees of the firm of which such attorneys are members and outside companies engaged by them such as independent copying companies, temporary services, professional photographers and/or photographic studios;

(b) Expert witnesses or consultants retained by counsel for the litigation of issues involved in this FCC Proceeding;

(c) Any court reporter or typist rendering services for recording or transcribing of testimony in this FCC Proceeding or any outside independent reproduction firm rendering reproduction services in this FCC Proceeding;

(d) This Tribunal; or

(e) Witnesses at deposition as set forth in paragraph 4.

3. All persons to whom the documents or the content thereof are disclosed other than the persons identified in paragraph 3(a), (c) and (d) above shall acknowledge in writing that they have read this Stipulation and Order and agree to be bound by its terms. The original of the acknowledgment shall be retained by counsel representing the party who has retained such person, and, except in

the case of experts, a copy of the executed declaration shall be furnished to counsel for all the parties herein. In the case of any expert, counsel for the party retaining the expert shall certify to counsel for the opposing parties that the expert has executed the required declaration, although counsel shall not be required to identify the name of the expert.

4. In the event it becomes necessary to show any documents to a witness at deposition, the documents can be shown to that witness only after the witness reads this Stipulation and Order, agrees to be bound by it and so acknowledges in writing. That portion of any deposition, including attached exhibits, or other discovery which pertains to documents shall also be treated according to the terms of this Stipulation and Order.

5. Upon final termination of this FCC Proceeding, the documents and all copies thereof, except those which are in the custody of this Tribunal, shall be returned to the respective parties or destroyed (and certified by affidavit as having been destroyed) by any party or person in possession thereof.

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6. The parties recognize and agree that many documents being produced by the parties may contain attorney communications on a number of issues. To assist the parties in resolving privilege issues and making documents available as rapidly as possible, the parties stipulate that the inadvertent production of privileged documents will not constitute a waiver of any privilege, and that the disclosure of attorney-client or otherwise privileged communications on one issue will not constitute a waiver of any privilege with respect to other issues.

IT IS SO STIPULATED:

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Dated: 3/16/95, 1995

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FEDERAL COMMUNICATIONS COMMISSION
Joseph Paul Weber
Terrence E. Reideler

By: Joseph P. Weber
Dated: 3/16/95, 1995

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Protective Order

The provisions of the foregoing stipulation are hereby approved,
and compliance with all provisions thereof is hereby ordered.

DATED:

March 21, 1995

Joseph Chachkin
Honorable Joseph Chachkin